

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

FILED  
U.S. DISTRICT COURT  
NORTHERN DIST. OF TX  
FT. WORTH DIVISION

2009 JUL -3 PM 3:07

CLERK OF COURT

AMERICAN AIRLINES, INC.

Plaintiff,

vs.

GOOGLE, INC.

Defendants.

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CIVIL ACTION NO. 4-07-487-A

**GOOGLE, INC.'S UNOPPOSED MOTION TO SEAL  
PORTIONS OF THE APPENDIX FILED IN SUPPORT OF  
GOOGLE'S SECOND MOTION TO COMPEL AND BRIEF IN SUPPORT**

Defendant Google, Inc. ("Google"), files this unopposed motion to seal portion of the appendix filed in support of Google's second motion to compel and would respectfully show the Court the following:

Contemporaneous with the filing of this motion, Google is filing an appendix in support of its motion to compel. Pursuant to a confidentiality agreement signed by American and Google, Google has designated the expert report of Dr. Daniel L. Jackson in American's appendix as Highly Confidential Information. The appendix actually filed contains a blank page as place holder for Dr. Jackson's expert report.

In relevant part, paragraph 12 of the confidentiality agreement provides:

In the event that it is not possible to provide more than two business days notice, the party wishing to file the Confidential Information or Highly Confidential Information with the Court must present an accompanying motion requesting that the Confidential or Highly Confidential Information be filed under seal.

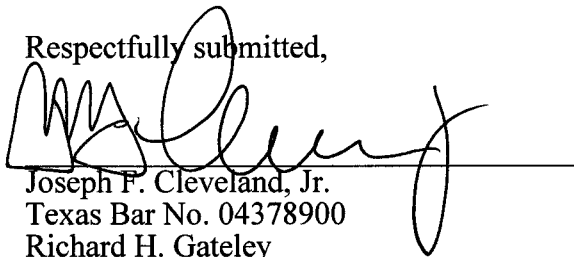
Through this motion, Google is providing written notice to American of Google's intent to file a motion to compel supported by documents labeled by American as Highly Confidential Information. The parties' agreement contemplates that Google will file this motion.

Under the confidentiality agreement, American's designation of these documents as Confidential Information or Highly Confidential Information is an indication by American that the information consists of trade secrets or confidential research and development information, or confidential commercial or financial information, the disclosure of which would likely cause injury to American's business. The confidentiality agreement further contemplates that American will have the opportunity, before the Court rules on this motion, to submit a declaration within five business days of the filing of this motion further explaining why the information should be sealed.

If the Court grants this motion to seal, Google intends to submit the document in a supplemental appendix filed under seal. If the motion to seal is denied, Google intends to submit the documents in a supplemental appendix.

Google respectfully requests that this unopposed motion to seal be considered by the Court so that the documents Google intends to file in support of its second motion to compel can be properly filed and then considered by the Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Cleveland", is written over a horizontal line.

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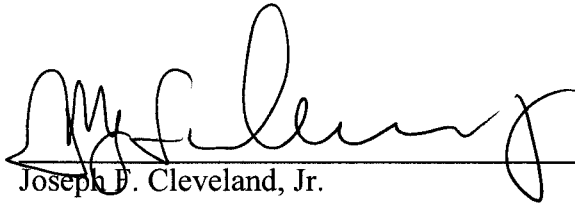
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**CERTIFICATE OF CONFERENCE**

The undersigned counsel for Defendant Google, Inc. conferred with counsel for Plaintiff American Airlines, Inc. regarding the foregoing Motion to Seal. Counsel for American indicated American does not oppose the Motion.

  
Joseph F. Cleveland, Jr.

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered on this 3rd day of July, 2008, to Plaintiff's counsel, as follows:

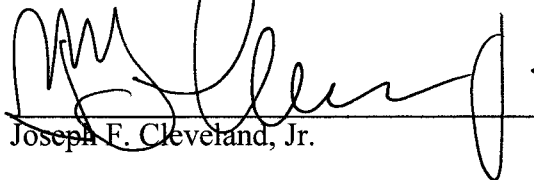
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Date: July 3, 2008

  
Joseph F. Cleveland, Jr.